

Application No.: 09/820,888

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appli	cation of:		\ 4)		
Michael P.	Dallmeye	er et al.) -	`	
Application	n No.: 09	/820,888) Exam	niner: Unassigne	ed
Filed: Mar	rch 30, 20	01) Grou	p Art Unit: 3752	2
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Commission BOX MIS Washingto	SING PA	RTS				
	RE	SPONSE TO NOTI	CE TO FI	LE MISSIN	G PARTS	
1.		replies to the Notice to d May 10, 2001.	to File Mis	sing parts of	Application (PT	O-1533)
	-	py of the Notice To F ted (Form PTO-1533		•	plication-Filing	Date
2.	Decla	aration Or Oath				
	[X]	No declaration or o Declaration and Po			l is the original (Combined
	[]	The specification a specification and a PTO to obtain the	any amendi	ments thereto		
	[]	The declaration or defective. A new of				

Attorney is attached.

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3.	English	Translation	of Non-	-English	Language	Papers
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[] Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

[]	Verified Statement(s) that this is a filing by a small entity is attached
[]	was filed on

5. Fee Calculation

<u> </u>	3. Fee Calculation				
Patent Application Design Application			Basic Fee: - \$710.00 - \$355.00		
	Number Filed	Number Extra	at a Rate of		
	Number Filed	Number Extra	at a Rate of		
Total Claims	9 - 20	0	\$18.00 each=	\$0.00	
Independent Claims	2 - 3 =	0	\$80.00 each=	\$0.00	
Multiple dependent cla	iim(s), if any		\$270.00	\$0.00	
Missing Parts Surcharge Fee			\$130.00	\$130.00	
	\$130.00				
Reduction by 1/2 for filing by a small entity				- \$	
SUB-TOTAL =				\$130.00	
Fee For Application Filed With A Non-English				+	
Specification			\$130.00		
(37 CFR 1.17(k) and 1.52(d)					
Fee For Processing and retention of application (37 CFR			+		
1.21(l) and 1.53(d)			\$130.00		
TOTAL FILING FEE =				\$130.00	

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6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$195.00
[] three months	\$ 890.00	\$445.00
[] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: $\underline{\$}$

If an additional extension of time is required, please consider this a Petition therefor.

[X] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Completion Fees	<u>\$130.00</u>
	Extension Fees	\$
	Assignment Recordation Fee	\$ 40.00

Total Fee Due: \$170.00

[X] A check in the amount of \$170.00 representing the total filing fees due is enclosed.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

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8. Additional papers enclosed.

Assignment and form PTO 1595 [X]**Preliminary Amendment** [] Information Disclosure Statement Form PTO-1449, _____ listed thereon Citations []Declaration of Biological Deposit Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: June 25, 2001

CUSTOMER NO. 009629 MORGAN, LEWIS & BOCKIUS LLP 1800 M Street, N.W. Washington, D.C. 20036 (202) 467-7000 Khoi Q. Ta

Reg. No. 47,300





COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE

Washington, D.C. 2023I www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/820,888

03/30/2001

Michael P. Dallmeyer

051252-5192

CONFIRMATION NO. 4449

009629 MORGAN, LEWIS & BOCKIUS 1800 M STREET NW WASHINGTON, DC 20036-5869 FORMALITIES LETTER

OC000000000006063973

Date Mailed: 05/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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